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## TELECOPY

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<b>Date:</b> July 7, 2008	<b>Our Ref.</b> 035784/309941
<b>Recipient:</b> Kaya L. Lewis Baltimore PCT Legal Office	<b>Company:</b> U.S. Patent and Trademark Office
<b>Fax Number:</b> (571) 273-0459	<b>Voice Number:</b> (571) 272-4300
<b>Sender:</b>  Leslie T. Henry	Tel: (919) 862-2229 - Fax (919) 862-2260 E-Mail: <a href="mailto:leslie.henry@alston.com">leslie.henry@alston.com</a> cc: <a href="mailto:diann.gravius@alston.com">diann.gravius@alston.com</a>

<b>Application No.:</b> 10/576,943	<b>Confirmation No.</b> 1890
<b>Filed:</b> December 1, 2006	<b>Group Art Unit:</b> 1641
<b>For:</b> <i>USE OF ANTAGONIST ANTI-CD40 ANTIBODIES FOR TREATMENT OF AUTOIMMUNE AND INFLAMMATORY DISEASES</i>	

We are in receipt of a Corrected Filing Receipt and Notice of Acceptance dated June 26, 2008 for the above-referenced National Stage Application. We had made previous requests to correct the Domestic priority data dating back to August of 2007. The priority data was finally correctly updated, however, upon inspection of the documents, we noticed that that I.A. Filing Date of November 4, 2004 had been changed to May 19, 2005 on both the filing receipt and notice of acceptance. We note that the May 19, 2005 date is the *publication date* of the International application. Kindly correct the International Filing date to reflect November 4, 2004 on *both* the filing receipt and notice of acceptance. *This is the only change that should be made at this time.*

We have enclosed copies of the corrected filing receipt and notice of acceptance issued on June 26, 2008 showing the *incorrect* International filing date as well as previously issued copies of these documents showing the *correct* international filing date of November 4, 2004. We have also included the 1<sup>st</sup> page of the publication of the PCT application showing the International filing date of November 4, 2004.

Respectfully submitted,  
/leslie t. henry/  
Leslie T. Henry (45,714)  
Tel: (919) 862-2229

Number of Pages: (including cover page) 12

**IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT 862-2221.**

<b>USER CODE:</b> GRAVD	<b>REQUESTED BY:</b> Diann Gravius
<b>CLIENT/MATTER:</b> 035784/309941	<b>OPERATOR:</b>



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING or 371(c) DATE	INVENTOR	PUBLICATION	ATTY. DOCKET NO.	TOTAL CLAIMS	IND. CLAIMS
10/576,943	12/01/2006	1641	1680	035784/309941	19	5

CONFIRMATION NO. 1.90

## FILING RECEIPT



0000000030619480

826

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 BANK OF AMERICA PLAZA  
 101 SOUTH TRYON STREET, SUITE 4000  
 CHARLOTTE, NC 28280-4000

Date Mailed: 06/26/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

## Applicant(s)

Li Long, Emeryville, CA;  
 Mohammad Luqman, Danville, CA;  
 Asha Yabannavar, Lafayette, CA;  
 Isabel Zaror, Emeryville, CA;

## Assignment For Published Patent Application

Chiron Corporation, Emeryville, CA

Power of Attorney: The patent practitioners associated with Customer Number 00826

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US2004/036957 ~~05/19/2005~~ ← *[should be: 11/4/2004]*  
 which claims benefit of 60/517,337 11/04/2003  
 and claims benefit of 60/525,579 11/26/2003  
 and claims benefit of 60/565,710 04/27/2004

## Foreign Applications

If Required, Foreign Filing License Granted: 08/22/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/576,943**

Projected Publication Date: 10/02/2008

Non-Publication Request: No

Early Publication Request: No

**Title**

Use of Antagonist Anti-CD40 Antibodies for Treatment of Autoimmune and Inflammatory Diseases and Organ Transplant Rejection

**Preliminary Class**

424

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof until it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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U.S. APPLICATION NUMBER NO.	PRINT NAMED APPLICANT	ATTY. DOCKET NO.
10/576,943	Li Long	035784/309941
INTERNATIONAL APPLICATION NO.		
PCT/US2004/036957		
I.A. FILING DATE		PRIORITY DATE
05/19/2006		11/04/2003

826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

[should be:  
11/4/2004]

CONFIRMATION NO. 1: 90  
371 ACCEPTANCE LETTER



Date Mailed: 06/26/2008

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.49

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

12/01/2006  
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1),  
(c)(2) and (c)(4) REQUIREMENTS

12/01/2006  
DATE OF COMPLETION OF ALL  
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 04/21/2006
- Copy of the International Search Report filed on 04/21/2006
- Preliminary Amendments filed on 04/21/2006
- Information Disclosure Statements filed on 04/21/2006
- Biochemical Sequence Diskette filed on 04/21/2006
- Oath or Declaration filed on 12/01/2006
- Biochemical Sequence Listing filed on 04/21/2006
- Request for Immediate Examination filed on 04/21/2006
- Copy of references cited in ISR filed on 04/21/2006
- U.S. Basic National Fees filed on 04/21/2006
- Priority Documents filed on 04/21/2006
- Specification filed on 04/21/2006
- Claims filed on 04/21/2006
- Drawings filed on 04/21/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
19 May 2005 (19.05.2005)

PCT

(10) International Publication Number  
**WO 2005/044306 A3**

(51) International Patent Classification?: **A61K 39/395**,  
A61P 37/06, 29/00 // C07K 16/28

(74) Agents: ALEXANDER, Lisa, E. et al.; Chiron Corporation, Intellectual Property Department, P.O. Box 8097, Emeryville, CA 94662-8097 (US).

(21) International Application Number:  
PCT/US2004/036957

(22) International Filing Date:  
4 November 2004 (04.11.2004)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
60/517,337 4 November 2003 (04.11.2003) US  
60/525,549 26 November 2003 (26.11.2003) US  
60/565,700 27 April 2004 (27.04.2004) US

(71) Applicant (for all designated States except US): **CHIRON CORPORATION** [US/US]; 4560 Horton Street, Emeryville, CA 94608-2916 (US).

(72) Inventor; and

(75) Inventor/Applicants (for US only): **LONG, Li** [CA/US]; Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097 (US). **LUQMAN, Mohammad** [US/US]; Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097 (US). **YABANNAVAR, Asha** [US/US]; Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097 (US). **ZAROR, Isabel** [US/US]; Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097 (US).

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MY, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (B, G, H, GM, KH, LS, MW, MZ, NA, SD, SL, SZ, TZ, U, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

— with international search report

(88) Date of publication of the International search report:  
15 September 2005

For two-letter codes and other abbreviations, refer to the "Guide to the Preparation of Patent Applications" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: USE OF ANTAGONIST ANTI-CD40 ANTIBODIES FOR TREATMENT OF AUTOIMMUNE AND INFLAMMATORY DISEASES AND ORGAN TRANSPLANT REJECTION

(57) Abstract: Methods of therapy for treating a subject for an autoimmune disease and/or inflammatory disease are provided. The methods comprise administering a therapeutically effective amount of an antagonist anti-CD40 antibody or antigen-binding fragment thereof to a patient in need thereof. The antagonist anti-CD40 antibody or antigen-binding fragment thereof is free of significant agonist activity, but exhibits antagonist activity when the antibody binds a CD40 antigen on a human CD40-expressing cell. Antagonist activity of the anti-CD40 antibody or antigen-binding fragment thereof beneficially inhibits CD40L-mediated stimulation of CD40-expressing cells, and thus inhibits survival and signaling pathways of human CD40-expressing cells that are mediated by CD40L.

WO 2005/044306 A3



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APPLICATION NUMBER	FILING OF 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	INT CLAIMS
10/576,943	12/01/2006	1641	1680	035784/309941	19	5

826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

*Previously  
Issued  
Filing Receipt*

CONFIRMATION NO. 1890

FILING RECEIPT

Date Mailed: 09/21/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

## Applicant(s)

Li Long, Emeryville, CA;  
Mohammad Luqman, Danville, CA;  
Asha Yabannavar, Lafayette, CA;  
Isabel Zaror, Emeryville, CA;

## Assignment For Published Patent Application

Chiron Corporation, Emeryville, CA

Power of Attorney: The patent practitioners associated with Customer Number 00826

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/36957 (11/04/2004) *This is correct date.*  
which claims benefit of 60/517,337 11/04/2003

and claims benefit of 60/525,579 11/26/2003X

and claims benefit of 60/565,710 04/27/2004X

(\*) Data provided by applicant is not consistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted: 08/22/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is  
**US10/576,943**

Projected Publication Date: 12/27/2007

*Already  
Corrected on  
6/26/08  
Filing*



**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Use of Antagonist Anti-CD40 Antibodies for Treatment of Autoimmune and Inflammatory Diseases and Organ Transplant Rejection

**Preliminary Class**

424

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)) the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,943	Li Long	035784/309941
INTERNATIONAL APPLICATION NO.		
PCT/US04/36957		
IA FILING DATE	PRIORITY DATE	
11/04/2004	11/04/2004	

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ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

*This is  
correct date*

CONFIRMATION NO. 1E90  
371 ACCEPTANCE LETTER  
\*OC000000025507732\*

Date Mailed: 08/14/2007

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>12/01/2006</u>	<u>12/01/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 04/21/2006
- Copy of the International Search Report filed on 04/21/2006
- Preliminary Amendments filed on 04/21/2006
- Information Disclosure Statements filed on 04/21/2006
- Biochemical Sequence Diskette filed on 04/21/2006
- Oath or Declaration filed on 12/01/2006
- Biochemical Sequence Listing filed on 04/21/2006
- Request for Immediate Examination filed on 04/21/2006
- Copy of references cited in ISR filed on 04/21/2006
- U.S. Basic National Fees filed on 04/21/2006
- Priority Documents filed on 04/21/2006

- Specification filed on 04/21/2006
- Claims filed on 04/21/2006
- Drawings filed on 04/21/2006

---

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

KAYA L LEWIS BALTIMORE  
Telephone: (703) 308-9140 EXT 202

**PART 3 - OFFICE COPY**

FORM PCT/DO/EO/103 (371 Acceptance Notice)

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\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

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ST. TIME	07/07 15:25
TIME USE	01'34
PGS.	12
RESULT	OK